

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

LIFESCAN, INC. and JOHNSON &
JOHNSON HEALTH CARE SYSTEMS,
INC.,

Plaintiffs,

v.

JEFFERY C. SMITH, GEOFFREY S.
SWINDLE, STEVEN L. HADLOCK,
SAHILY PAOLINE, DAVID GRANT,
JUSTIN LEAVITT, BLAINE SMITH,
ALISON WISTNER, ADAM
KOOPERSMITH, and ZB, N.A.,

Defendants.

Civil Action No.: 2:17-CV-05552-CCC-CLW

**REPLY CERTIFICATION OF
NICOLE G. McDONOUGH, ESQ. IN
FURTHER SUPPORT OF
DEFENDANT JUSTIN LEAVITT'S
MOTION TO DISMISS
PLAINTIFFS' FIRST AMENDED
COMPLAINT PURSUANT TO
FED. R. CIV. P. 12(b)(2),
FED. R. CIV. P. 12(b)(3), AND FED.
R. CIV. P. 12(b)(6)**

I, Nicole G. McDonough, Esq., of full age, hereby certify and state as follows:

1. I am an attorney at Archer & Greiner, P.C., counsel to Defendant Justin Leavitt in this matter. I am an attorney responsible for this matter and have personal knowledge of the facts set forth herein. I submit this Reply Certification in further support of Defendant Justin Leavitt's Motion to Dismiss Plaintiffs' First Amended Complaint pursuant to Federal Rules of Civil Procedure 12(b)(2), 12(b)(3), and 12(b)(6).

2. A copy of the referenced pages of the transcript of the deposition of Masum Amin taken on April 12, 2018, are attached hereto as **Exhibit A**.

3. A copy of the referenced pages of the transcript of the deposition of Robert Bucco taken on April 6, 2018, are attached hereto as **Exhibit B**.

4. A copy of the referenced pages of the transcript of the deposition of Dow Jones taken on April 25, 2018, are attached hereto as **Exhibit C**.

5. A copy of Defendant Justin Leavitt's Objections and Answers to Plaintiffs' First Set of Interrogatories, are attached hereto as **Exhibit D**.

6. A copy of Defendant Justin Leavitt's Responses to Plaintiffs' First Request for Admissions, are attached hereto as **Exhibit E**.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on: June 1, 2018

ARCHER & GREINER P.C.

By: /s/ Nicole G. McDonough
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